

Notice of Allowability

Application No.

10/620,780

Examiner

Mark T. Henderson

Applicant(s)

PELEMAN, GUIDO

Art Unit

3722

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 2/3/06.
2. ☒ The allowed claim(s) is/are 1,3-9 and 15-19.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Attorney Kurt Summe on February 14, 2006.

The application has been amended as follows:

Claims:

1. In Claim 1, line 4, please delete "configured for" after "the holder".
 - In line 5, insert -- are-- after "that are provided with openings";
please delete "can be".
 - In line 6, please insert --unitary-- after "elastically bendable and including".
 - In line 7, please delete "the holder and the locking means configured
so that the holder can be fixed over the edge of a wall part of the
file and the locking means mesh"; please insert --the locking
means shaped to engage-- "after locking means,".
 - In line 9, please delete "when the leg is bent" after "in an opening in
the file of the like"; please insert --by bending one of the legs--.
 - In line 10, please delete "can be" after "the holder"; please insert --is--.

- In line 10, please insert --, and fixed over an edge of a wall part of the file-- after “manually attached to a file or the like”; please delete “.” after “or the like”.
2. In Claim 16, line 8, please delete “is configured to work” after “opposite a leg which”; please insert --works--.
- In line 9, please insert --a unitary-- before “locking means in the form”.
 - In line 9, please delete “is configured to mesh” after “in the form of a part that”; please insert --engages--.
 - In line 10, please delete “can be” after “from the other leg so the holder”; please insert --is--.
 - In line 12, please delete “can work” after “one locking means part including a pin, which”; please insert --works--.
3. In Claim 19, line 6, please insert --working-- after “turned toward one another, the holder”; please delete “configured for working.”
- In line 8, please delete “can be” after “are provided with openings”; please insert --are--.
 - In line 9, please insert -- a unitary-- after “bendable and including”.
 - In line 10, please delete “is configured to mesh” before “in an opening in the file”; please insert --engages--.

- In line 11, please delete “can be” after “so the holder”; please insert
--is--.
- In line 12, please delete “the free edge” after “mounted on”; please
insert --a free edge--

Specification:

On Page 8, line 30, please insert --unitary-- before “parts”.

The following is an examiner’s statement of reasons for allowance: No prior art of record discloses or fairly suggest a writing board or an accessory for a writing board comprising a holder for a file or the like, wherein the holder includes a U-shaped body with legs that define contact surfaces on their sides turned toward one another; the holder working in conjunction with a binding mechanism comprising elements over which documents that are provided with openings are threaded; the locking means shaped to engage in an opening in the file or the like by bending the leg away from the other so the holder is manually attached to the file and fixed over an edge of a wall part of the file; and including all of the other limitations of the other independent claims.

Welch is the closest reference similar to applicant’s invention. However, Welch does not disclose a locking means shaped to engage an opening in the file or the like by bending one leg away from the other leg so the holder is attached and fixed over an edge of a wall part of the file.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hegarty, Davis, and Gerriet disclose similar accessories.

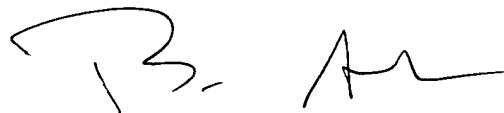
Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark T. Henderson whose telephone number is (571) 272-4477, and informal fax number is (571) 273-4477. The examiner can be reached on Monday-Friday from 9:00AM to 3:45PM. If attempts to reach the examiner by telephone are unsuccessful, the Examiner Supervisor, Boyer Ashley, can be reached at (571) 272-4502. The formal fax number for TC 3700 is (571) 273-8300.



MTH

February 15, 2006



**BOYER D. ASHLEY
SUPERVISORY PATENT EXAMINER**